

REMARKSStatus of the Application:

At the time the Office Action was mailed, claims 54 and 55 were pending in the application. All rejections in the previous office action (Paper No. 14) were withdrawn in view of applicant's amendments and arguments in Paper No. 18. Applicants' election without traverse of Group IIv was acknowledged. The Office Action newly rejected claims 54 and 55 under 35 U.S.C. § 102 (b).

Upon entry of this response, no claims will have been amended, cancelled, or added. Therefore, upon entry of this amendment, claims 54 and 55 will remain before the examiner for consideration.

Rejection Under 35 U.S.C. § 102

Claims 54 and 55 were rejected under 35 U.S.C. § 102(b) as being anticipated by Danik et al., 1991 ("Danik"). According to the Office Action:

Danik et al. teach a cDNA library from a human glioma (pg. 8578, 1st col.), which is a collection of expressed gene transcripts from a plurality of cells that are the progeny of a single glioma tumor cell, by definition, and as claimed.

Applicants respectfully disagree with the rejection because Danik does not describe a cDNA library "produced from a collection of expressed gene transcripts isolated from a microclone comprising a plurality of cells, wherein each of the cells of the microclone is the progeny of a single glioma tumor cell." As described in the specification (p. 12, lines 15-16 and Example 6, pp. 46, 47), microclones are created by cultivating a single progenitor cell under specified conditions in culture. Microclones are recognizable by microscopy of the cultures as spherical structures (see insert, FIG. 1), and have been shown to contain approximately 50-400 cells.

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In contrast to the presently claimed invention, Danik does not teach or suggest cDNA libraries prepared from microclones. In fact, techniques for culturing microclones were not known in 1991, the year of publication of Danik. See specification, page 7, lines 12-17.

Conclusion

For the reasons presented above, the currently pending claims are allowable over the cited art. Withdrawal of the rejection and allowance of the claims is therefore respectfully requested.

This response is believed to be timely filed. The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of fees under 37 C.F.R. 1.16 or 1.17 as required by this paper to Deposit Account 50-0951.

The examiner is cordially invited to call the undersigned if clarification is needed on any matter within this paper, or if the examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Dated: October 3, 2003

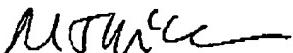
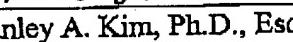
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Stanley A. Kim, Ph.D., Esq.
Registration No. 42,730

Margaret J. McLaren, Ph.D., Esq.
Registration No. 53,303
222 Lakeview Avenue, Suite 400
West Palm Beach, FL 33402-3188
Tel: 561-653-5000